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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOERG WINKLER
STEPHAN ROSNER
RALF FLEMMING
STEVE NOVAK

Group Art Unit: 2663

Examiner: D.W. Ferris

Conf. No.: 7906

Serial No.: 09/587,722

Atty. Dkt.: 2069.013200/DEO030

Filed: JUNE 05, 2000

CUSTOMER NO.: 23720

For: METHOD AND APPARATUS FOR
CONTROLLING ATM STREAMS

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION
UNDER 37 C.F.R. § 1.137(B)**

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

1-31-06
Date

Nancy Nolan
Signature

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition to revive the above-captioned patent application, which was unintentionally abandoned.

A Notice of Abandonment was mailed on October 7, 2005. A Final Office Action was mailed January 15, 2004 for the above-referenced application. However, Applicant did not receive the Final Office Action due to a change of address issue and the fact that the Final Office Action was mailed to another law firm. Although a general address change was filed with the USPTO, a Change of Correspondence Address for this specific patent application was filed on August 23, 2004. A copy of the Final Rejection reveals that it was mailed to another law firm (as can be seen

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on front page of the Final Office Action). Since Applicants did not receive the Final Office Action, it is submitted that the patent application was unintentionally abandoned.

Further, this patent application was transferred from another law firm, leading to some confusion. Upon receiving the Notice of Abandonment, an internal investigation was launched to determine the various facts and circumstances relating to the present patent application. Applicants respectfully submit that the abandonment of the application was entirely unintentional.

For at least the aforementioned reasons, Applicants believe that the entire delay in filing the required reply, from the due date for the reply until the filing of the present petition, was unintentional.

Accordingly, Applicants respectfully request that U.S. Patent Application No. 09/587,722 be revived pursuant to 37 C.F.R. § 1.137. It is Applicants' position that this application was not intentionally abandoned by Applicants. Applicant includes herein the required reply to the Final Office Action, which in the present case is a Notice of Appeal. It is believed that a fee of \$1,500.00 is required to cover cost of filing this petition. The Commissioner is authorized to deduct said fees from **Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2069.013200**. No other fee is believed to be due. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2069.013200.

Respectfully submitted,

Date: January 31, 2006

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720

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